



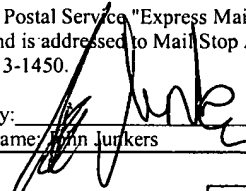
3-17-06
3743/IPW
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DE BOER et al. Examiner: Unknown
Serial No.: 10/561410 Group Art Unit: Unknown
Filed: December 16, 2005 Docket: 09424.0236USWO
Confirmation No.: Unknown Notice of Allow. N/A
Date:
Due Date: March 16, 2006
Title: DRY POWDER INHALER AND METHOD FOR PULMONARY INHALATION OF DRY POWDER

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 841297280 US
Date of Deposit: March 16, 2006

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: 
Name: John Junkers

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE


Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 40 Reference(s)
- ☒ Other: International Search Report, European Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Gregory A. Sebal
Reg. No.: 33,280
GAS/ncb



10/561410

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DE BOER et al.	Examiner:	Unknown
Serial No.:	10/561410	Group Art Unit:	Unknown
Filed:	December 16, 2005	Docket No.:	09424.0236USWO
Title:	DRY POWDER INHALER AND METHOD FOR PULMONARY INHALATION OF DRY POWDER		

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By: _____

Name: John Junkers

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report and the European Search Report. At least some of the references were cited either in an International Search Report mailed November 8, 2004 or a European Search Report mailed December 2, 2003.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

An English abstract has been provided for all German references.

An English abstract has been provided for all EP German language references.

An English abstract could not be located for the French reference and will be provided at a later date.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.



Dated: March 16, 2006

GAS/ncb

Respectfully submitted,

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(612)332-5300

By: 

Gregory A. Sebald
Reg. No.: 33,280

FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 09424.0236US01	Application Number: 10/561410
	Applicant: DE BOER et al.	
	Filing Date: December 16, 2005	Group Art Unit: Unknown

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,921,637	11-1975	Bennie et al.			
	3,948,264	04-1976	Wilke et al.			
	3,971,377	07-1976	Damani			
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	4,778,054	10-1988	Newell et al.			
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	4,907,583	03-1990	Wetterlin et al.			
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	5,415,162	05-1995	Casper et al.			
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	2002/0040713 A1	04-2002	Eisele et al.			
	2002/0170560 A1	11-2002	Young et al.			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 09424.0236US01	Application Number: 10/561410
	Applicant: DE BOER et al.	
	Filing Date: December 16, 2005	Group Art Unit: Unknown

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	44 00 084 A1	09-1995	Germany			Abstract	
	195 22 416 A1	01-1997	Germany			Abstract	
	0 129 985	01-1985	EPO				
	0 208 863 A1	01-1987	EPO			Abstract	
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	95/28192	10-1995	WIPO				

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	Applicant: DE BOER et al.	
	Filing Date: December 16, 2005	Group Art Unit: Unknown

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	02/05881 A1	01-2002	WIPO				
	03/000325 A1	01-2003	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

23552

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	